

Memo

To: SDRC Members
From: Martin Zimmermann, Project Planner
Date: July 5, 2006
Re: draft service plan for proposed annexation of 20+ acres located south of Chick Lane in Bryan's extraterritorial jurisdiction (ETJ)

Dear SDRC Members:

At its meeting on July 11 of 2006 City Council will be considering a petition to annex 20+ acres located south of Chick Lane and approximately 830 feet north of West Villa Maria Road, west from its intersection with Kimmy Drive in Bryan's extraterritorial jurisdiction (ETJ). Please refer to the attached map showing the area proposed to be annexed.

State law requires annexation ordinances to include a municipal service plan that details the specific municipal services that will be provided to the area after it has been annexed. A copy of a draft service plan is attached, **for your review**. I believe the language of this service plan is sufficiently general and non-committal. In short, no extraordinary new services, facilities or expenses are anticipated as a result of annexing these approximately 20 acres.

Please let me know if you have any questions, comments or concerns about (or suggested modifications to) this draft service plan.

Thank you.

Exhibit "B":

**MUNICIPAL SERVICE PLAN FOR TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON SEPTEMBER 26 OF 2006**

A. SERVICES PROVIDED UPON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Bryan, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

The City of Bryan, Texas and its Fire Department will provide fire protection and ambulance service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. Furthermore, the City of Bryan Fire Department will respond to all dispatched calls (including emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of Bryan.

3. SOLID WASTE COLLECTION

The City of Bryan, Texas and its Environmental Services Department will provide solid waste collection and disposal service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

4. WATER DISTRIBUTION SERVICE

Water service for the newly annexed territory is currently provided by Brushy Creek Special Utility District. The newly annexed area will continue to receive such service. Any change in water service will require an agreement between the City of Bryan, Texas and the Brushy Creek Special Utility District pending approval by the State of Texas, as required by the Texas Water Code. Water service to the newly annexed territory will be provided at the same or similar level of service now being provided by Brushy Creek Special Utility District to other areas of the City of Bryan. All such water service facilities, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected in accordance with established policies and procedures.

5. WASTEWATER SERVICE

Any and all wastewater service facilities in the newly annexed area owned or maintained by the City of Bryan, Texas at the time of annexation shall continue to be maintained by the City of Bryan. Any and all wastewater service facilities which may be acquired subsequent to annexation of the subject territory shall be maintained by the City of Bryan, to the extent of its ownership. Existing sewer mains at their present locations shall be available for point-of-use connections,

based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. All such wastewater service facilities, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

The City of Bryan will assess the adequacy of existing septic systems for accommodating raw sewage in less developed areas and will determine the need to provide centralized wastewater collection and treatment service to particular areas, along with lift stations or any other necessary capital improvements, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

It is currently the City of Bryan's policy to oversize wastewater collection system trunk lines in developing areas and require developers or property owners desiring service to pay for wastewater line extensions to individual developments and properties. These policies and procedures will also apply in the newly annexed territory.

6. STORM WATER MANAGEMENT

City of Bryan regulations concerning storm water management will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

7. BUILDING SERVICES

The Development Services Department's responsibility for regulating building construction will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes with regulate building construction within the City of Bryan.

8. PLANNING AND DEVELOPMENT

The Development Services Department's responsibility for regulating development and land use through the administration of the City of Bryan Zoning Ordinance, Land and Site Development Ordinance and all other development-related ordinances will extend to the newly annexed territory. The newly annexed area will also continue to be regulated under the requirements of the City of Bryan Subdivision Ordinance.

9. ELECTRICITY SERVICE

Bryan Texas Utilities (BTU), a municipal electric utility, will provide electricity service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

10. ROADS, STREETS, ALLEYWAYS AND TRAFFIC ENGINEERING

Any and all roads, streets or alleyways in the newly annexed territory which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and

alleyways are maintained in areas of the City of Bryan, Texas with similar land use, population density and topography.

Municipal maintenance of properly dedicated roads, streets and alleyways (which may be installed by developers of land within this newly annexed territory) will be consistent with such maintenance provided by the City of Bryan to other roads, streets and alleyways in areas exhibiting land use, population densities and topography similar to that of the newly annexed area.

The City of Bryan Transportation Department will install traffic signs, street markings and other traffic control devices in the newly annexed area as the need is established by appropriate study, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

The City of Bryan Transportation Department will install street lights and street name signs in the newly annexed area, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

11. PARKS AND RECREATION

Residents of the newly annexed territory may use any and all existing City of Bryan parks, playgrounds and recreational facilities and participate in any and all programs, events and activities of the City of Bryan Parks and Recreation Department. Expansion of recreational facilities and programs to the newly annexed territory will be provided, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

12. LIBRARY SERVICES

Library use and privileges will be available to residents of the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

B. CONSTRUCTION OF CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2½ YEARS FOLLOWING THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2½ years following the effective date of annexing the subject territory, for the purpose of providing police and fire protection, emergency medical services and solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide comparable levels of protection and service to what is presently being provided to other areas already incorporated in the City of Bryan, Texas, having the same or similar land use, population density and topography as that of the newly annexed territory.

2. WATER AND WASTEWATER FACILITIES

Water service for the newly annexed territory is currently provided by Brushy Creek Special Utility District. The newly annexed area will continue to receive such service.

During the next 2½ years, the City Council of the City of Bryan, Texas believes that adequate municipal sewer mains exist for point-of-use connections and serviceable extensions, to provide sewer service within the newly annexed territory, pursuant to applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

3. ROADS AND STREETS

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of Bryan, and such street improvements shall comply with specifications required by the City of Bryan, for properly dedicated streets.

Within 2½ years following the effective date of annexation, the City of Bryan, Texas, will provide the same degree of road and street lighting as is provided in areas of similar land use, population and topography already existing within the present corporate limits of the City of Bryan, Texas.

4. PARKS, PLAYGROUNDS AND SWIMMING POOLS, AS WELL AS OTHER PUBLIC FACILITIES OR BUILDINGS

To the extent that it becomes necessary because of development demands, population growth and bona fide needs, the City Council of the City of Bryan, Texas will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of citizens in the newly annexed territory, based upon standard considerations of land use, population density and topography.

C. SPECIFIC FINDINGS

The City Council of the City of Bryan, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the newly annexed territory, than were in existence at the time immediately preceding this territory's annexation to the City of Bryan, Texas.

